

**OFFICIAL WARNING**



**VIOLATION OF FEDERAL REGULATIONS**

CASE NO.

**PA 140007**

VIOLATOR

Customer# 7599

Certificate# 23-C-0165

County of Allegheny

Dept. of Public Works

ADDRESS (Street, City, State, Zip Code)

Attn: Andrew Bacchle

542 Forbes Avenue, Suite 211 Cty Office Bldg

Pittsburgh, PA 15219

The Department of Agriculture has evidence that on or about **May 16, 2012, June 5, 2013 and September 25, 2013** you or your organization committed the following violation of Federal Regulations:

**9 CFR, SECTION**

**Failure to**

**2.40 (a)(h)(2)**

- Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

(\*\*The bull referred to as "Split Horn" has a large pendulous mass within its lower abdomen/penile sheath and a second smaller one near the midline further up on the abdomen. \*\* There has been no consultation with the attending veterinarian or diagnostics to determine what caused the deaths of two calves born last year and two born this year shortly after birth. \*\*The Program of Veterinary Care is not being followed: bison have not received the ponr on treatments for parasites or required vaccinations.)

**3.125 (a)**

- A facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

(\*\*The support that runs across the bottom of the bison enclosure fence is stretched out and not able to provide the intended structural support. \*\*Many of the wire ties used to secure many sections of enclosure fence to support posts are snapped off. \*\*Many sections of the enclosure fence is elevated from the ground due to apparent erosion. \*\*The enclosure containing the oldest bison has several support posts snapped and the fence has been stretched and bows outward.)

# 9 CFR, SECTION

# Failure to

3.127 (d)

- On or after May 17, 2000, all outdoor housing facilities must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized person out. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the animals in the facility. It must be of sufficient distance from the outside of the primary enclosure to prevent physical contact between animals inside the enclosure and animals or persons outside the perimeter fence.

(\*\*Many sections of the enclosure fencing is raised approximately a foot off the ground. \*\*The perimeter fence near the wheelchair accessible platform is less than 3 feet from the primary enclosure.)

3.131 (e)

- Premises shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices. Accumulations of trash shall be placed in designated areas and cleared as necessary to protect the health of the animals.

(\*\*There is heavy overgrowth of grass, weeds and brambles between the enclosure fence and perimeter fence. \*\*Several sections of perimeter fencing has weed and vine growth. \*\*There is a felled tree laying across the top of the shelter in the front east side of the pasture. \*\*The perimeter fence or enclosure fence cannot be visualized due to vegetation growth along the east side of the enclosure. \*\* A large limb is draped over the enclosure fence touching the barrier fence in the wooded pasture.)

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL (Name and Title) <b>Elizabeth Goldentyer, DVM</b> <b>Regional Director</b>	OFFICE ADDRESS: <b>920 Main Campus Dr., Suite 200</b>
	<b>Raleigh, NC 27606</b>
DATE ISSUED <b>12/4/13</b>	TELEPHONE NO. AC (919) 855-7100
FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)	DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:  
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(JUN 91)      PART 1 - VIOLATOR